

# TACOMA EMPLOYEES' RETIREMENT SYSTEM

## BOARD OF ADMINISTRATION

### BYLAWS

#### ARTICLE I - OBJECTIVE

The Tacoma Employees' Retirement System's Board of Administration shall, pursuant to TMC Chapter 1.30 and RCW 41.28, administer the Tacoma Employees' Retirement System. Said Board shall further administer the Retirement Fund, as a trust fund, created by the above cited laws, and pursuant to the direction of the City Council as per the fiduciary responsibilities of the Board of Administration, staff and consultants.

The Tacoma Employees' Retirement System's Board of Administration is hereafter referred to as the Board of Administration.

#### ARTICLE II - MEMBERS

The administration of the Retirement System is vested in the Board of Administration as provided by Sections 1.30.470 through 1.30.520 of the TMC. The members are the Mayor, the City Manager (or designee), the Director of Finance, the Tacoma Public Utilities Director (or designee), three employee members, one retired member and one resident member (not employed by or retired from the City), and one alternate member.

#### ARTICLE III - OFFICERS

**Section 1. Board of Administration - Officers.** The officers of the Board shall be Chair, Vice Chair, Secretary and Treasurer. The Mayor shall be ex officio Chair and the Director of Finance ex officio Secretary and ex officio Treasurer of the Board. The Board of Administration shall appoint from among its remaining members a First and Second Vice Chair, with the Second Vice Chair serving only in the absence of the Chair and First Vice Chair.

**Section 2. Ex Officio Member Defined.** An ex officio member is a member by virtue of City position and has all the privileges of board membership, including the right to make motions and to vote, but has no obligation to participate.

**Section 3. Election of Officers.** In the case of death, resignation or removal of any officer, the selection of officers will be conducted as outlined in Section 1.30.470 - Creation of Board of Administration. Members include the Mayor as elected; the City Manager (or designee); the Director of Finance; and the Tacoma Public Utilities Director (or designee). The three employee members are elected by the employee members at large, one retired member is elected by the retired members or surviving beneficiaries of the system, and one member (not employed by the City) is appointed by the other eight Board members.

Terms of office for the Board of Administration is as follows:

Mayor - For the term of election

City Manager (or designee), Director of Finance, and the Tacoma Public Utilities  
Director (or designee) -  
For the term of appointment

Employee Representative and Retired Representative -  
Three-year term, eligible for re-election

Resident Member -  
Three-year term, eligible for re-appointment

Alternate Member -  
Three-year term; eligible for re-appointment

#### **ARTICLE IV - DUTIES OF OFFICERS**

**Section 1. Appointment of Chair.** The Mayor shall be Chair and the presiding officer, or in their absence the Vice Chair or Second Vice Chair, who shall conduct the business and deliberation of the Board under these rules. The Vice Chair and the Second Vice Chair shall be elected by the Board of Administration for terms of one year and, are eligible for reappointment. If both the Chair and Vice Chair are absent and a quorum is present, the Second Vice Chair shall serve as presiding officer of the Board until the return of the Chair or Vice Chair. The Secretary will preside in absence of the Second Vice Chair. In the absence of all officers the remaining Board members in attendance may designate among themselves the member to act as Chair at said meeting.

**Section 2. Duties of Chair.** The Chair shall:

- 1) Conduct the meeting.
- 2) Preserve order and decorum in the meeting.
- 3) Decide all questions of order, subject to appeal to the Board of Administration.
- 4) Recognize the members of the Board in the order in which they request recognition.

No member shall be recognized and permitted to speak on the same matter more than once until after all other members of the Board have had an opportunity to be recognized and heard.

- 5) Observe and enforce all rules adopted by the Board.

- 6) Sign or certify as required all resolutions adopted by the Board and other records of the Board.

**Section 3. Rights of the Chair.** The Chair, as a member of the Board, shall have the same rights and be governed by the same rules as other Board members.

**Section 4. Duties of the Secretary.** The Secretary of the Board shall:

- 1) Certify the minutes of the Board of Administration meeting as approved by the Board.
- 2) Sign or certify as required all resolutions adopted by the Board and other records of the Board.

**Section 5. Appointment of Acting Secretary.** In the absence of the regular secretary, the Chair shall sign the minutes.

## ARTICLE V - MEETINGS

**Section 1. Open Public Meetings Act.** All meetings including committee meetings will be subject to the attached Washington State Open Public Meetings Act (Revised Code of Washington, Chapter 42.30), as applicable.

**Section 2. Dates and Location.** The Board of Administration meets regularly on the second Thursday of each month in the Tacoma Public Utilities - Administrative Building North, 3628 South 35<sup>th</sup> Street, , Tacoma, Washington. Due to special circumstances, the regular meeting date may be changed, or additional meetings may be scheduled by the Board. The specific times and dates of all meetings will be publicized as required by law and are open to the public.

**Section 3. Quorum Required and Voting.** A quorum for the routine transaction of business will consist of not less than six members of the Board of Administration to be present and will require an affirmative vote of not less than five members. The Alternate Member shall serve as a voting member when the alternate's presence is necessary to constitute a quorum under this Section.

**Section 4. Special Meetings.** Special meetings may be held subject to the Washington State Open Public Meetings Act RCW 42.30 (and as may be hereinafter amended).

**Section 5. Order of Business.** Except as may be otherwise directed by the Chair, or by action of the Board, the order of business for meetings of the Board shall be as follows:

1. Call to Order
2. Roll Call

3. Community Comments
4. Adoption of Minutes
5. Old Business
6. New Business
7. Director's Report
8. Good of the Order
9. Adjourn

**Section 6. Rules of Order.** Meetings shall be conducted formally in the manner common to like boards. Robert's Rules of Order shall be followed.

**Section 7. Suspension of Rules.** No rule shall be suspended except by a majority vote of Board members present at the meeting, and a motion to suspend a rule is not debatable. Vote on the motion may be by voice vote, or by roll call if requested by a member.

**Section 8. Filing New Matter.** No new agenda item, subject, communication, article, or material shall be placed before the Board for its comments thereon or consideration, or shall be discussed or read, unless it shall have been requested in writing and filed with the Retirement Office, with copies provided to the members of the Board prior to the meeting being called to order. No such item shall be considered by the Board without consent of a majority of the Board to add that item to the Board's agenda. However, this Section does not apply to information provided to the Board which does not require action and is for informational purposes only.

## **ARTICLE VI - COMMITTEE**

The Board of Administration may appoint a committee to review or research any pertinent information and provide the Board of Administration with a recommendation. Once the recommendation has been made to the Board of Administration, the committee's responsibilities cease unless they are a permanently assigned committee. Committees of the Board include the following:

Executive Committee: Four Board of Administration members: The Chair or designee, Vice Chair, Secretary, and one Board member appointed by the Chair.

In making this appointment, consideration should be given to the Board member's tenure and professional experience. The Executive Committee shall provide advice and recommendations to the Board on compliance, policy, and administrative matters, and shall not act on behalf of the Board with regard to policy decisions and investment actions.

The scope of responsibilities of the Executive Committee shall include, but not be limited to oversight of the following:

- Periodic performance evaluation of the Retirement Director
- Strategic planning
- Development of long-range agenda topic schedule linked to System's strategic plan
- Budget planning process
- New Board member orientation and continuing education guidance
- Periodic review of Board Bylaws, policies and other documents affecting Board governance
- Periodic review of Qualified Domestic Relations Orders

Disability Committee: Three Board of Administration members and an alternate elected by the Board, Director of Human Resources, and an additional member to the Disability Committee chosen by the Chair, with legal counsel as advisor. Meetings and adjudications of the Disability Committee are exempt from the Open Public Meetings Act.

Ad-Hoc Committees may be appointed by the Chair of the Board or Vice Chair as needed to review items which require attention before a Board meeting is scheduled. The Chair of the Board will keep the Board and Retirement Director advised should Board members wish participation or staff assistance be requested.

#### **ARTICLE VII - STANDARD REPORTS**

The membership shall be advised of the meetings by public notice. Copies of the minutes will be posted on the Tacoma Employees' Retirement System website and distributed to anyone who requests copies of the minutes.

The membership shall further receive a Summary Annual Report and Statement of Accounts (benefit statement which will include the plan participant's contributions, credited service, and beneficiary) on an annual basis.

#### **ARTICLE VIII - MISCELLANEOUS**

A member of the Tacoma Employees' Retirement System, not satisfied with a decision and/or ruling of the Retirement System Director, may request that the decision and/or ruling be presented to the Board. The Board, after reviewing the case and the ruling, shall then grant or refuse a hearing on the matter.

A record shall be maintained in the Retirement Office covering all administrative and Board decisions and/or rulings in the operation of the System.

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Decisions may be included in the annual report of the Board to the members of the System, or made available to the members and the public through other appropriate reports.

Adopted: 5/21/86 Amended: 10/31/96, 12/30/98, 9/30/99, 6/10/04, 2/20/09, 08/20/09, 01/13/2010, 5/13/2010, 1/13/2011, 8/9/2012, 9/13/2012, 10/12/2017, 1/09/20, 2/8/2024